

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 6:16-cv-00089-RWS-JDL
	§	
v.	§	
	§	
	§	
DELL INC. AND EMC CORPORATION,	§	JURY TRIAL DEMANDED
Defendants.	§	
	§	

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REALTIME DATA LLC d/b/a IXO,	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 6:16-cv-00086-RWS-JDL
	§	
v.	§	
	§	
	§	
HEWLETT PACKARD ENTERPRISE	§	JURY TRIAL DEMANDED
CO. ET AL.	§	
Defendants.	§	
	§	

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REALTIME DATA LLC d/b/a IXO,	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 6:16-cv-00087-RWS-JDL
	§	
v.	§	
	§	
	§	
SAVVIS COMMUNICATIONS	§	JURY TRIAL DEMANDED
CORPORATION ET AL.	§	
Defendants.	§	
	§	

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**DECLARATION OF J. MICHAEL WOODS IN SUPPORT OF DEFENDANTS' REPLY  
TO PLAINTIFF REALTIME DATA LLC'S OPPOSITION TO DEFENDANTS'  
MOTION TO STAY PENDING *INTER PARTES* REVIEWS**

I, J. Michael Woods, declare as follows:

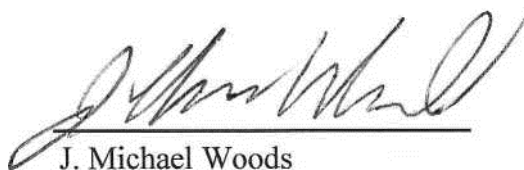
1. I am an attorney with the law firm Winston & Strawn LLP, counsel for Defendants Dell Inc. (“Dell”) and EMC Corporation (“EMC”) in the above-captioned matter. I have personal knowledge of the facts set forth herein, and if called upon to testify, I could and would testify to the statements made herein.

2. On November 18, 2016, Defendants Dell, EMC, Hewlett Packard Enterprise Co., HP Enterprise Services, LLC, Veritas Technologies LLC (“Veritas”), Savvis Communications Corporation (“Savvis”), and Silver Peak Systems, Inc. (“Silver Peak”) filed a motion to stay the litigations pending resolution of the *inter partes* reviews (“IPRs”) filed on the asserted patents.

3. On December 5, 2016, Plaintiff Realtime Data LLC d/b/a IXO (“Realtime”) filed its opposition to Defendants’ motion to stay. In this opposition, Realtime noted that Defendants Savvis, Veritas, and Silver Peak were not petitioners in any of the IPRs which were the subject of Defendants’ motion and, as such, these three Defendants were not bound by the estoppel provisions of 35 U.S.C. § 315(e). *See* Case No. 6:16-cv-00089, Dkt. 100 at 3.

4. On December 7 and 8, 2016, I received email communications from counsel for Defendants Veritas, Savvis, and Silver Peak stating that each of these defendants agree to estoppel for all of the references or arguments presented to and adjudicated by the PTAB in any instituted IPR proceedings if the case is stayed.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on December 13, 2016 in Washington, DC.



J. Michael Woods